

Court of Appeals, State of Michigan

ORDER

G&S Development Inc v David Berry

Docket No. 353420

LC No. 2016-155472-CB

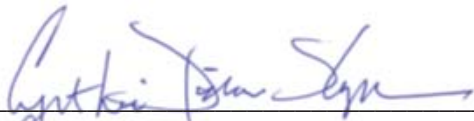
Cynthia Diane Stephens
Presiding Judge

Michael J. Riordan

Anica Letica
Judges

The motion for sanctions for a vexatious appeal pursuant to MCR 7.211(C)(8) is GRANTED because plaintiff's appeal was taken without any reasonable basis for belief that there was a meritorious issue to be determined on appeal. The case is REMANDED to the circuit court for further proceedings for appellee Citizens to recover the amount of actual damages, including reasonable attorney fees, incurred as a result of the vexatious appeal. See *Fette v Peters Const Co*, 310 Mich App 535, 553-554, 871 NW2d 877 (2015).

The Court retains no further jurisdiction.


Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

November 16, 2020
Date


Chief Clerk